

52,] wherein

said test cell stores information specifying source and destination station telephone numbers of the test cell, and

said software executed by said software executing means conducts an inter-station loopback test in the switching network according to the information specifying the source and destination station telephone numbers of the test cell.

REMARKS

The Examiner noted that pages 16, 17 and 915 were missing from this Divisional Application. It should be noted that in filing this Divisional Application under 37 C.F.R. §1.53(b), the entire parent case was incorporated by reference. Nevertheless, copies of the missing pages are enclosed herewith.

Further, the Examiner suggested that the number of pages in the present specification be reduced to those that are necessary to support the claims in prosecution in this divisional application. Applicant respectfully declines to act on this suggestion for several reasons. It is considered in some instances that removal of material from

a disclosure constitutes "new matter", which is impermissible in an application. Further, should material be deleted from the present disclosure, serious future harm may be incurred by the applicant.

For example, the present application might become the only application pending from the original parent as a result of issuance or abandonment of all now co-pending applications. If material had been deleted from the disclosure and if a CPA were subsequently filed in the present application, then a new application would exist without the deleted materials. Then, if a subsequent divisional were desired, it would never be possible to reintroduce any of the previously deleted material as the deleted material would constitute new matter in the divisional that was not present in the only pending application.

Accordingly, applicant, as stated, declines at this time to reduce the number of pages in the specification.

A request has been made above to eliminate the brackets in association with description of the figures in the present application, as the Examiner requested.

An objection was raised to claim 41 for informalities. Claim 41 was canceled herein and claim 92 was substituted therefor. It is respectfully submitted that claim 92 does not suffer from the informalities noted in claim 41 by the Examiner.

Claims 41-50 and 52-55 were rejected under 35 U.S.C. §112 for indefiniteness for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. It should be noted that many of the objections refer to claims which have been canceled herein. Accordingly, those objections received no direct response. However, the new claims which have been added were prepared in recognition of the 112 rejection and with the purpose of eliminating the confusion cited in the rejection.

For example, the "intra-station control device" of the original claims has been replaced with -- switch station--.

It is respectfully submitted that the rejection under 35 U.S.C. §112 has been given consideration with regard to each item specifically mentioned by the Examiner in claims

that remain in prosecution. It is respectfully believed that the rejection under 35 U.S.C. §112 for indefiniteness has been overcome.

It is noted with appreciation that the Examiner found allowable subject matter in claims 43, 53 and 54 and would allow these claims if rewritten to overcome the rejections under 35 U.S.C. §112 for indefiniteness and to include all of the limitations of the respective base claims.

Claims 41-43 were rejected under 35 U.S.C. §102 as anticipated by Lai (5,490,141). Claims 45-48 were rejected under 35 U.S.C. §102 as anticipated by Olson. Claims 51, 52 and 55 were rejected under 35 U.S.C. §102 as anticipated by Emerson (5,438,528).

The present application claims the priority of Japanese Application No. 06-255120, filed August 22, 1994. Thus, this priority filing date precedes the United States filing date of Lai and Olson, whereby these references would be ineffective as a basis for rejection of claims in the present application once the priority status of the present application has been verified.

However, in view of the extended length of the present application, applicant presently prefers to avoid translation of the Japanese priority document and instead continues prosecution to distinguish over the prior art and thereby achieve patentability.

Herein, claims 41, 42, 45 and 49, were canceled without prejudice and replaced with new claims 92-95, respectively. Claims 43, 44, 46-48 and 50 were amended as required to provide proper antecedent basis with the new base claims.

Claims 53, and 54, containing allowable subject matter, were each rewritten in independent format including therein respectively the features of base claims 51 and 52. Claims 51, 52 and 55 were also canceled without prejudice. It is respectfully submitted that claims 53 and 54 are in condition for allowance.

The amendments of claims are based upon the original disclosure. In amending the claims new matter was not added.

The rejections of claims for anticipation under 35 U.S.C. §102 in view of the cited prior art, are respectfully traversed.

This divisional application included the following four independent claims.

In claim 41 (Fig. 806), a device provided in a switch station appropriately transmits and receives LAP data.

In claim 45 (Fig. 807-815), control data are exchanged between a control processor provided in a switch station and a terminal unit connected to the switch station, by means of DMA.

In claim 49 (Fig. 816), the operation or state of a switch station is checked by running a program installed in the switch station.

In claim 51 (Figs. 817-818), whether communications between a pair of switch stations are properly performed is checked by running programs installed in the pair of switch stations.

In claims 41-44 (now 92, 93, 43, 44), emphasis was placed on the following point: control information is appropriately converted and transferred through a switch.

A FRE-DTE as shown in Fig. 1 of Lai is a communications control device, a router, or the like. The FR-DTE is connected to a LAN such as a token ring and Ethernet, and is also connected to an ATM network through a TA. Therefore, the FR-DTE (including the TA) has the function of converting LAN data into an ATM cell, and vice versa.

Meanwhile, claims 41-44 (92, 93, 43, 44) of the present invention relate to a method for appropriately transmitting/receiving control information in a switch station. Lai does not specifically disclose such a method for transmitting/receiving control information in a switch station.

With regard to claims 45-48 (now 94, 46-48), Olson discloses a system, in which routing information is exchanged between switch stations and a packet is transferred according to the routing information. As shown in Figs. 1 and 2 of Olson, each switch station includes a

host processor and a packet switch. The host processor has a host RAM 218 which stores session level information. The packet switch converts the session level information into a packet, and transmits the packet to another switch station. Meanwhile, when receiving a packet from another switch station, the packet switch extracts session level information from the packet, and transfers the session level information to the host RAM 218 within the same switch station.

As described in Olson (col. 9, lines 26-40), DMA transfer is performed between the host RAM 218 and a RAM 205 provided in the packet switch. Specifically, when information is transmitted from, for example, a node A to a node B, a memory mapper 203 in the node A reads information from the host RAM 218, and transfers the information to the RAM 205. Then, the information is transmitted to the node B. In such a case, the node B does not access the host RAM 218, and DMA is simply performed within the node A.

In contrast, when control information is transmitted from a control processor to a terminal unit in the system according to the present invention, the control processor writes the control information into memory, and also

transmits a control packet to the terminal unit. Then, the terminal unit reads the control information from the memory based on the control packet.

Olson does not disclose a configuration in which DMA is performed based on a control packet.

With regard to claims 49-50 (now 95, 50), Figs. 25-26B of Emerson illustrate an apparatus for performing a loopback test. Specifically, a network expansion board 2 receives a test program from a PC 1, and runs the test program so as to perform a loopback test using a PC2.

Emerson and the present invention differ in the following respects:

1. The present invention relates to a switch station, while Emerson relates to an expansion board.
2. In the present invention, a test program to be run is stored in the switch station in advance, while the Emerson apparatus runs a program received from another apparatus.


For these reasons, it is respectfully submitted that the present inventions based on claim 92, claim 94, and 95,

are not anticipated by the cited respective references and the rejections under 35 U.S.C. §102 are inappropriate.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments, proposed drafting changes, and remarks, it is believed that independent claims 92, 94, 95, 53 and 54 are in condition for allowance as well as all claims respectively depending therefrom. Passage of this case to allowance is earnestly solicited.

However, if for any reason the Examiner should consider this application not to be in condition for allowance, it is respectfully requested that he telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Respectfully submitted,


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